

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	Case No. 10-MJ-456
)	
Plaintiff,)	ORDER DENYING STIPULATED
)	MOTION TO EXTEND TIME
v.)	TO FILE INDICTMENT
)	
WILLIAM ROBERT HARRIS,)	
)	
Defendant.)	
_____)	

On February 10, 2011, the parties to the above-captioned matter filed a Stipulated Motion for Extension of Time to File Indictment. Dkt. 19. The motion argues that granting a continuance would satisfy the “interests of justice” by providing defense counsel additional time to investigate the matter “with a view to resolving this case” short of trial. *Id.* at 2.

Congress, however, “did not intend the ‘ends of justice’ exclusion to be granted as a matter of course but rather [intended it] to be used sparingly and only when necessary.” *United States v. Lewis*, 980 F.2d 555, 560 (9th Cir. 1992). Hence, an “ends of justice” exclusion may be granted only for a specific duration when “justified [on the record] with reference to the facts as of the time the delay is ordered.” *United States v. Ramirez-Cortez*, 213 F.3d 1149, 1154 (9th Cir. 2000) (internal quotations and emphasis omitted). Generalized assertions that the “ends of justice” will be satisfied by the granting of a continuance are

01 insufficient. *Id.* at 1154-55.

02 Here, the parties have provided no evidence, nor adduced any facts from the record
03 sufficient to justify granting a continuance. The parties' vague assertions that "the interests
04 of justice, for the public and the defendant, will be served" if defense counsel is granted
05 additional time to investigate "with a view to resolving this case" are insufficient to justify a
06 continuance. The parties' motion is therefore DENIED.

07 DATED this 11th day of February, 2011.

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10 JAMES P. DONOHUE
11 United States Magistrate Judge
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